

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

09/886,055

Confirmation No. :6876

Applicant

LUBERT STRYER, et al.

Filed

June 22, 2001

TC/A.U.

1634

Examiner Docket No. : G. A. Goldberg: 100337.54258US

Customer No.

23911

Title

RECEPTOR FINGERPRINTING, SENSORY PERCEPTION.

AND BIOSENSORS OF CHEMICAL SENSANTS

## **ELECTION**

Mail Stop ====

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed on September 30, 2003, Applicants elect with traverse group I, claims 1-11 directed to a method of representing sensory perception. Further, as the elected olfactory species, Applicants elect the gene sequence referred to as A0LFR29 in the subject application. This corresponds to the DNA and amino acid sequences contained in SEQ ID NO's 55 and 56 respectively.

The restriction requirement is traversed on two distinct bases. First, with respect to the elected method, Applicants' invention pertains to a fingerprinting method for representing sensory perception of one or more odorants, the efficacy of which resides in an assay which utilizes a <u>collection</u> or <u>library</u> of different touch receptors (selected from the 255 human receptors disclosed in the subject

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application). Therefore, Applicants respectfully submit that they should not

have to elect a single OR sequence since the recited method uses a combination

of different human OR sequences. At the very least, Applicants submit that

Group I examined to its full and correct extent, namely Applicants submit that

all the OR sequences should be part of the assay recited in Group I.

Secondly, Applicants respectfully submit that all of the methods

corresponding to Group I, II, V, VI, VIII and X should be examined together since

they all are related methods for identifying or representing the sensory

perception of specific compounds based on their pattern and/or nature of

interaction with a collection of human OR Sequences corresponding to SEQ ID

NO's 1-512 disclosed in the subject application.

Applicants respectfully advise that the novelty and non-obviousness of the

invention does not reside in any specific OR (since these sequences are

separately claimed in an earlier patent application, incorporated by reference in

the subject application), but rather pertains to assay methods that utilize a

specific collection of human OR sequences disclosed herein.

Based on the foregoing, modification of the Restriction Requirement to

examine all the method claims, and to further withdraw the Election of Species

Requirement is respectfully requested.

It is believed that this is a complete response to the outstanding

restriction and election of species requirement. Favorable examination on the

merits is respectfully requested.

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Serial No. 09/886,055 Election Dated: March 16, 2004 Reply to Office Action

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #10033754258US).

Respectfully submitted,

March 16, 2004

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